Atty. Dkt. No. 052209-0150

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Pierre J-M RIVIERE et al.

Title:

TREATMENT OF BONE METASTASES BY MEANS

OF PTH RECEPTOR AGONISTS

Int'l. Appl. No.:

PCT/US2005/001139

International Filing Date:

01/13/2005

Examiner:

Unassigned

Art Unit:

Unassigned

Confirmation Number:

Unassigned

## UNDER 37 CFR §1.56

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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## TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

## RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

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Courtenay C. Brinckerhoff Attorney for Applicant Registration No. 37,288 AP20 Rec'd PCT/PTO 25 JULMO Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form 1449B/PTO Complete if Known INFORMATION DISCLOSURE Application Number Unassigned STATEMENT BY APPLICANT Filing Date 01/13/2005 Pierre J-M RIVIERE First Named Inventor Date Submitted: July 25, 2006 Group Art Unit Unassigned (use as many sheets as necessary) Examiner Name Unassigned Sheet Attorney Docket Number 052209-0150

				U.S. PATENT DOCUMENTS		
Examiner Initials*	Cite	U.S. Patent Document		Name of Patentee or Applicant of Cited	Date of Publication of	Pages, Columns, Lines, Where Relevant Passages or Relevant
	No.¹	Number	Kind Code <sup>2</sup> (if known)	Document	Cited Document MM-DD-YYYY	Figures Appear

					FOREIGN PATENT DOCUMENTS		***	
Examiner Initials*	Cite No.¹	Foreign Patent Document			Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant	
		Office	Number <sup>4</sup>	Kind Code <sup>5</sup> ( <i>if known</i> )	Applicant of Cited Documents	MM-DD-YYYY	Passages or Relevant Figures Appear	1e
	A1	WO	01/21198	A1	ELI LILLY & COMPANY	3/29/2001		
	A2	WO	02/28420	A2	Michael F. HOLICK	4/11/2002		
	A3	WO	96/22790		XENOTECH INCORPORATED	8/1/1996	-	

		NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	A4	Eric A.G. BLOMME et al., "Skeletal Metastatis of Prostate Adenocarcinoma in Rats: Morphometric Analysis and Role of Parathyroid Hormone-Related Protein", The Prostate 39:187-197 (1999).		
	A5	M. KUBOTA et al., "Efficacy and specificity of human parathyroid hormone analogues as antagonists in intact clonal osteogenic sarcoma cells", Journal of Endocrinology (1986) 108, 261-265.		
	A6	Theresa A. GUISE et al., "Evidence for a Causal Role of Parathyroid Hormona — related Protein in the Patogénesis of Human Breast Cancer — mediated Osteolysis", J. Clin. Invest., Vol. 98, No. 7, October 1996, pp. 1544-1549.		
	A7	Shafaat A. RABBANI et al., 'OVER-PRODUCTION OF PARATHYROID HORMONE-RELATED PEPTIDE RESULTS IN INCREASED OSTEOLYTIC SKELETAL METASTASIS BY PROSTATE CANCER CELLS IN VIVO", Int. J. Cancer: 80, 257-264 (1999).		
	A8	Manali BENDRE MD et al., "Breast Cancer Metastatis to Bone It is Not all About PTHrP", CLINICAL ORTHOPAEDICS AND RELATED RESEARCH, Number 415S, pp. S39-S45 (2003).		

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Examiner Signature		Date Considered	

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.